

## REMARKS

Claim 17 was designated as “previously presented” though it was amended in the response filed on January 16, 2009. As such, Claim 17 is now designated as “previously presented” to reflect the amendment made in the response that was filed on January 16, 2009.

### 35 U.S.C. §103(a)

Claims 29-35, 3-11, 14-22 and 25-27 are rejected, under 35 U.S.C. §103(a), as being allegedly unpatentable over Mamiya et al., (U.S. Patent No. 5,764,322) (hereafter Mamiya) in view of AAPA (Applicant Applied Prior Art). Applicant respectfully traverses in view of the following.

Independent Claim 33 recites a light conducting spacer conducting light through a reflective-type display from a backlight device, as claimed.

The rejection relies on spacers, e.g., glass balls (see instant application page 3, lines 12-13 and page 4, lines 4-12), as disclosed by AAPA, to show a light conducting spacer in the claimed fashion. It appears that the rejection admits that conducting light through a reflective-type display from a backlight device, as claimed is not shown by glass balls, as disclosed by AAPA. The rejection, however, asserts that conducting light through a reflective-type display from a backlight device, as claimed is a “manner in which a claimed apparatus is intended to be employed” and therefore “does not differentiate the claimed

apparatus from a prior art apparatus satisfying the claimed structure limitations.”

Applicant respectfully disagrees in view of the following.

The recited limitations conducting light through a reflective-type display from a backlight device, as claimed define the structural characteristics of the light conducting spacer, as claimed. For example, a light conducting spacer that conducts light through a first component is structurally different from a light conducting spacer that conducts light through a second component even though they are both capable of conducting light. Accordingly, a mere disclosure of glass balls, as disclosed by AAPA, does not teach or suggest a light conducting spacer conducting light through a reflective-type display from a backlight device, as claimed.

Independent Claim 33 further recites that a light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display, as claimed.

In contrast, Mamiya discloses a back light where a light guiding sheet is attached to the back surface of the light guiding body (see Mamiya, col. 8, lines 21-25). The light reflected by the light guiding sheet has S-polarized components that are allowed to pass through by a polarizing plate (see Mamiya, col. 7, lines 35-40). The rejection equates the polarizing plate, as disclosed by Mamiya, to the light reflecting film, as claimed. The rejection asserts that “it is noted that Mamiya’s polarizing plate will not only allow light to pass through it as stated by

applicants, but also allow light to be reflected.” Applicant respectfully disagrees because allowing light to pass through, as disclosed by Mamiya, does not necessarily teach or suggest the capability to reflect light. For example, light may be absorbed. Thus, Mamiya fails to teach or suggest that a light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display, as claimed.

It appears that the rejection admits that a light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display, as claimed is not shown by polarizing plate, as disclosed by Mamiya. The rejection, however, asserts that the recited limitations is a “manner in which a claimed apparatus is intended to be employed” and therefore “does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structure limitations.” Applicant respectfully disagrees in view of the following.

The recited limitations that a light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display, as claimed define the structural characteristics of the light reflecting film, as claimed. For example, a light reflecting film that reflects light conducted by a first component back to a second component is structurally different from a light reflecting film that reflects light conducted by a third component back to a fourth component, as claimed. Accordingly, polarizing plates, as disclosed by Mamiya, do not teach or suggest a light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display, as claimed.

Moreover, Applicant respectfully submits that AAPA teaches away from the recited limitations. For example, AAPA explicitly discloses that the microstructures need to maintain a precise alignment relative to light sources (see AAPA, page 3, lines 14-15). AAPA further discloses that this requirement results in a thick, rigid, glass assembly which prevents manufacturing a thinner, curved, or flexible display assembly (see AAPA, page 3, lines 16-18). Accordingly, one would not be motivated to combine the teachings of AAPA and Mamiya because the cited combination results in a thick, rigid, glass assembly.

Accordingly, Mamiya alone or in combination with AAPA fails to render independent Claim 33 obvious, under 35 U.S.C. §103(a). Independent Claims 34 and 35 recite limitations similar to that of Claim 33 that have been discussed and presented above. Thus, Claims 34 and 35 are patentable over Mamiya and AAPA for reasons similar to that of independent Claim 33. Dependent claims are patentable by virtue of their dependency.

Independent Claim 34 is further patentable by reciting that the light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display to uniformly distribute light across the reflective-type display, as claimed. The rejection asserts that the recited limitations are a “manner in which a claimed apparatus is intended to be employed” and therefore “does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structure limitations.” Applicant respectfully disagrees for similar

reasons that are discussed above with respect to independent Claim 33. As such, Mamiya also fails to teach or suggest that the light reflecting film reflects light conducted by the light conducting spacer back to the reflective-type display to uniformly distribute light across the reflective-type display, as claimed.

Independent Claim 35 is further patentable by reciting that a brightness enhancing film (BEF) concentrates light toward the light conducting spacer to increase a brightness of the reflective-type display, as claimed. The rejection asserts that the recited limitations is a “manner in which a claimed apparatus is intended to be employed” and therefore “does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structure limitations.” Applicant respectfully disagrees for similar reasons that are discussed above with respect to independent Claim 33. As such, Mamiya fails to teach or suggest that a brightness enhancing film (BEF) concentrates light toward the light conducting spacer to increase a brightness of the reflective-type display, as claimed.

As per Claims 4, 15 and 26, Mamiya discloses a cool cathode tube (see Mamiya, col. 10, lines 45-46). AAPA discloses a liquid crystal display (see AAPA, page 3, line 21). As such, the combination of Mamiya and AAPA fails to explicitly teach or suggest at least one light emitting diode (LED), as claimed.

As per Claims 7, 8, 18, 19 and 29-30, the rejection states that the recited limitations claim the manner in which the claimed apparatus is intended to be employed. Applicant respectfully disagrees. The claimed limitations recite that

the reflective-type display is an electronic ink display, and that the reflective-type display comprises an electronic paper, as claimed respectively are not a manner of which the reflective-type display is used because they define the structure being claimed by specifically reciting “what” the reflective-type display is and “what” the reflective-type display comprises. As such, allowance of Claims 7, 8, 18, 19 and 29-30 is earnestly solicited.

As such, allowance of Claims 3-11, 14-22, 25-27 and 29-35 is earnestly solicited.

## CONCLUSION

In light of the above listed remarks, reconsideration of the rejected Claims 3-11, 14-22, 25-27 and 29-35 is requested. Based on the arguments presented above, it is respectfully submitted that Claims 3-11, 14-22, 25-27 and 29-35 overcome the rejections of record and, therefore, allowance of Claims 3-11, 14-22, 25-27 and 29-35 is earnestly solicited.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,  
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Dated: 6-29-2009

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